

# Why did the computer do this to me?

On the importance of algorithmic transparency  
and what can be done if you are harmed by an algorithm?

## What is an algorithm?

Simply put, an algorithm is a formula, and on a computer, it is a sequence of instructions, which can be executed automatically by a computer. Entering details into the algorithm will activate it and this will lead to a particular result.

**To explain what a “regular” algorithm is, let’s use the National Insurance Institute website as an example.** The website uses an algorithm to calculate an insuree’s eligibility for unemployment benefits. **How does it work?** The insuree fills in his details on an online form, the algorithm processes the data, and issues a final answer regarding the insuree’s eligibility for unemployment benefits.

## Why is it important to understand what an algorithm is?

Today, many actions that we carry out in general and vis-à-vis state authorities in particular are carried out and processed by algorithms, sometimes without any human intervention. Thus, decisions are made without any human supervision.

Examples of this are the submission of claims to the National Insurance Institute, municipal property tax payments to local authorities, updating employment status at the Ministry of Employment, renewing a vehicle license on the Ministry of Transport website, submitting

regular tax reports on the Tax Authority website, and more.

**The use of algorithms has many advantages** – an algorithm works 24/7 and can process data rapidly, it can cross-reference data between databases in real-time (for example, it can compare an ID number with the name entered), and more. The use of algorithms streamlines services to citizens, saves manpower, and shortens waiting times – and algorithms can handle large numbers of inquiries simultaneously. Another advantage is that, at least theoretically, an algorithm cannot be biased and cannot be guilty of “human error.”

## So, what then is the problem?

The problem is that an algorithm **by nature is not transparent**, meaning in other words that it is not something the general public can see. People using government websites cannot see how the algorithm works. **Let’s illustrate:** Imagine a situation in which a tax authority clerk refuses to explain to you why you were set double your regular income tax rate.

Things will get worse as **Artificial Intelligence** starts to play a bigger role in our lives. While with a “regular” algorithm it is possible to figure out the purpose of the algorithm, when it comes to AI, it may not be possible to fully explain how a concrete result was obtained. Hence, the way AI learns prevents the possibility of understanding how it reached a particular result. That is why transparency about how AI is built is critical.

## So – What can be done?

**First and foremost, we need to understand that “the computer is not wrong”** – although we wrote earlier that there can be no human

error, the algorithms were after all created by humans. Therefore, there can always be mistakes that are made in coding the algorithm.

The answer you will hear many times is that “the computer is never wrong”, is not true. The same applies and perhaps even more so when it comes to AI. This is because the use of AI may lead to a situation in which an algorithm

learns something that is discriminatory, exclusionary, or simply misleading.

**I want to know about a decision made about me. Is there a way for me to know?**

**The answer is – yes!**

**1**

**The various public authorities must explain how decisions are made** – and there is no disputing that every person is entitled to receive from state authorities, in writing, an explanation about why a particular decision was taken in their case.

**A request for an explanation can be submitted through a government website or through the call center** – a response to the request must be given within 45 days of submission of the request. If you have been refused or 45 days have passed, you have the option of submitting an appeal to the government ministry or authority. **This is your right, don't give it up!**

**2**

**You have the right to receive information about you stored in databases** – as a rule, everyone is entitled to review by themselves or through a representative, information collected on them in a database. Reviewing this information may reveal the error.

**3**

In addition, the **Freedom of Information Act (FOIA)** allows a person to obtain information about himself or herself and that person will be exempt from paying a fee for the freedom of information request. A citizen or resident may therefore send such a request to the relevant authority (through the FOIA officer).

## What about information that isn't directly about me?

**Every citizen or resident has the right to information:** According to FOIA, every citizen or resident of Israel has the right to receive all and any information from a public authority, even in matters not directly related to that person. This is a significant means of exercising **criticism of the government**. Every public authority, as defined by FOIA, must have an officer responsible for implementing FOIA, and an authority is obligated to respond to requests

for information within a specified period. **Requests may be submitted, inter alia, through the contact form on the website of the Freedom of Information Unit at the Ministry of Justice.**

In this regard, we note that to date, the Supreme Court has not ruled unequivocally on the applicability of the FOIA to the use of algorithms ([a guide for submitting Freedom of Information requests is attached](#)).

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במימון משותף של  
האיחוד האירופי



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תכני הפרסום הם תחת אחריותן הבלעדית של הקליניקה  
למשפט, טכנולוגיה וסייבר והתנועה לחופש המידע, ואינם  
משקפים בהכרח את עמדות האיחוד האירופי.